

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ARGONAUT INSURANCE COMPANY,
an Illinois Corporation,

Plaintiff,

v.

Case No. 8:22-cv-01417-TPB-TGW

SAFE ELECTRIC, LLC, a Florida limited
liability company, JESUS CASTRO, an
individual, and SULLY CASTRO, an
individual,

Defendants.

ORDER ON MOTION FOR CIVIL CONTEMPT AND SANCTIONS

This matter is before the Court on “Argonaut Insurance Company’s Motion for Civil Contempt and Sanctions,” filed on February 7, 2023. (Doc. 45). In the motion, Plaintiff Argonaut Insurance Company (“Argo”) applied to this Court for an order to show cause, arguing that Defendants Safe Electric, LLC, Jesus Castro, and Sully Castro (collectively “Defendants”) were in contempt of this Court’s Order of December 28, 2022 (Doc. 41). The Court issued an order to show cause (Doc. 59) requiring each Defendant to personally appear before the Court on May 16, 2023, and show cause why they each should not be found in contempt of the Court for their deliberate and willful failure and refusal to obey this Court’s Order.

Along with counsel for Defendants, Defendant Jesus Castro appeared at the

May 16, 2023, hearing individually and as the representative of Safe Electric, LLC. Defendant Sully Castro did not appear at the hearing, and no excuse was given for her failure.

Defendants offered no argument that they had complied with the Court's Order of December 28, 2022, but discussed extenuating personal circumstances. The Court encouraged them to comply, or risk being held in civil contempt, and allowed them 30 days in which to do so.

Defendants are reminded that "civil contempt sanctions, or those penalties designed to compel future compliance with a court order, are considered to be coercive and avoidable through obedience, and thus may be imposed in an ordinary civil proceeding upon notice and an opportunity to be heard." *Int'l Union, United Mine Workers of Am. v. Bagwell*, 512 U.S. 821, 827 (1994). "The district court has broad discretion in fashioning coercive remedies." *King v. Allied Vision, Ltd.*, 65 F.3d 1051, 1062 (2d Cir. 1995).

Accordingly, it is hereby

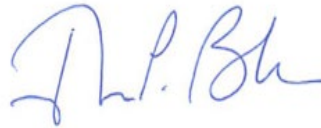
ORDERED, ADJUDGED, and DECREED:

1. Defendants Safe Electric, LLC, Jesus Castro, and Sully Castro are **DIRECTED**, jointly and severally, to fully comply with all aspects of the Court's Order dated December 28, 2022 (Doc. 41) no later than June 25, 2023.

2. In particular, each Defendant shall render to Argo a full and complete accounting of all assets owned by them or in which they have an interest by June 25, 2023.

3. “Argonaut Insurance Company’s Motion for Civil Contempt and Sanctions” (Doc. 45) is otherwise **DEFERRED** and will be considered at a later date should the Court receive notice that Defendants have not complied with the Court’s December 28, 2022 Order (Doc. 41) and this Order.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 26th day of May, 2023.



TOM BARBER
UNITED STATES DISTRICT JUDGE